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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

25 FEB 1993

THE SECRETARY - ROOM 222

IN REPLY REFER TO:
7330-7/1700A3

Honorable Earl Hutto
Member, U.S. House of
Representatives
4300 Bayou Boulevard, Suite 25A
Pensacola, Florida 32503

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

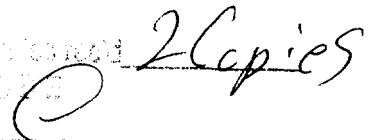
Dear Congressman Hutto:

This is in reply to your letter of January 27, 1993, in which you inquired on behalf of your constituent, Richard Herrmann, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Mr. Herrmann is specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

Enclosed 2 Copies


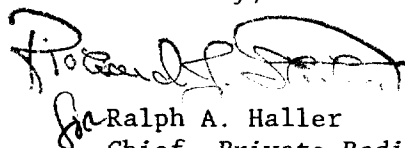
Honorable Earl Hutto

2.

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituent's concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituent to file formal comments on all aspects of the proposals.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ralph A. Haller", is written over a horizontal line.

Ralph A. Haller
Chief, Private Radio Bureau

Enclosures

cc:
Chief, PRBureau
Chief, LM&M Divison
Docket Files, Room 222
P&P Branch File (Pink)

CNTL NO - 9300576

DFertig/RShiben:/gb/lm:PR

Congressional

DUE OBC: 2-23-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM 02/12/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300576	02/12/93	01/27/93	02/25/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Congressman	Earl Hutto	BC

CONSTITUENT'S NAME	SUBJECT
Richard Herrmann	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRB/Lmm 2-16-93			
DATE	DATE	DATE	DATE
02/12/93			

REMARKS: Respond to the Pensacola, FL office.

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**U.S. Department of
Transportation**

Office of the Secretary
of Transportation

PRB
92-235
576

400 Seventh St., S.W.
Washington, D.C. 20590

The Honorable Earl Hutto
Member, U.S. House of Representatives
Post Office Box 17689
Pensacola, Florida 32522

Dear Representative Hutto:

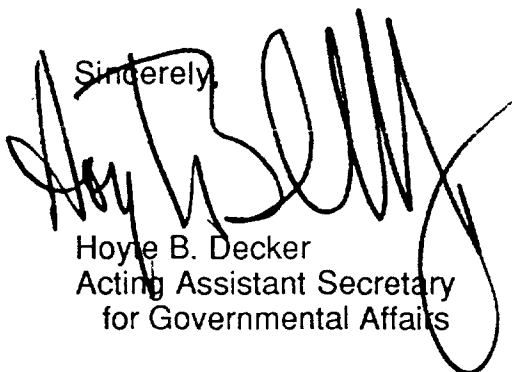
Thank you for your letter forwarding correspondence from your constituent,
Richard Herrmann.

His concern does not fall under the jurisdiction of the Department of
Transportation. I have forwarded his correspondence to the following address:

Mr. Steve Klitzman
Associate Director
Federal Communications Commission
Office of Legislative Affairs
1919 M Street, N.W., Suite 808
Washington, D.C. 20554

I appreciate your contacting me and hope you will not hesitate to call if I can be
of any further assistance.

Sincerely,



Hoyte B. Decker
Acting Assistant Secretary
for Governmental Affairs

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EARL HUTTO
1ST DISTRICT
FLORIDA

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(904) 763-0709

SHALIMAR COURTHOUSE ANNEX
SHALIMAR, FL 32579
(904) 651-3111

January 27, 1993

Mr. Paul Pike
Congresional Relations Officer
Federal Aviation Admin.
Department of Transporation
400 Seventh Street, S. W.
Washington, D. C. 20590

Dear Mr. Pike:

The attached communication is submitted for your consideration, and to ask that the request made therein be complied with, if possible.

If you will advise me of your action in this matter and have the letter returned to me with your reply, it will be appreciated. Please reply to:

Post Office Box 17689
Pensacola, Florida 32522

If you have any questions, please contact my caseworker, Ruby Boyd, at 904 478-1123.

With warm regards.

Sincerely,


Earl Hutto

EH/rlb

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JAN 25 1993

EARL HUTTO, M.C.

Richard Herrmann
6508 Pebble Dr.
Pensacola, FL 32505

22 January, 1993

Hon. Earl Hutto
4300 Bayou Blvd.
Pensacola, FL 32503

Dear Mr. Hutto,

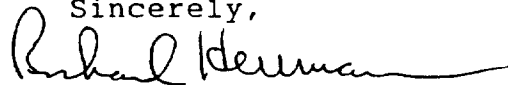
I have recently become aware of an attempted Federal Communications Commissions rules change (PR Docket 92-235) by the land mobile radio industry pertaining to radio frequencies in the 72 MHz band.

The Academy of Model Aeronautics of Reston, Virginia, a national organization with a membership of approximately one hundred thousand, has worked long and hard to secure a safe range of frequencies to operate and enjoy our sport of flying radio controlled miniature aircraft. If this rule change is approved, the safety aspect of clear frequencies will be acutely diminished for our sport. Also, an industry that promotes unsafe driving habits sure does not need federal help to escalate the situation.

Most citizens have an archaic beleif that model airplanes are built and flown by big "little" boys that have failed to grow up, but believe me, we have many very prominent members from all walks of life who enjoy this sport and wish to maintain the safest standard possible for our own and many spectators enjoyment. The general public and the powers that be in the federal Communications Commission are sadly mistaken if they believe the "little boy" theory. The cost of designing, building and maintaining these aircraft and related equipment to a safe degree can run into thousands of dollars. This is not even considering the manufacturing companys that provide jobs and economic value to our great country.

Please help me and thousand of others to continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposed PR Docket 92-235 for the 72-76 MHz band. We all need your assistance as the FCC has a deadline of February 26, 1993 after which it may become more difficult to avoid halting these proposals from going into effect.

Sincerely,


Richard Herrmann